

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DONALD KEITH ELLISON,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

Case No. 19-mc-80167-JST

**ORDER VACATING HEARING AND
REQUIRING SUPPLEMENTAL
BRIEFING**

Re: ECF Nos. 1, 43, 46

This matter is scheduled for hearing on September 25, 2019, on Plaintiff Donald Keith Ellison's motion for return of property pursuant to Federal Rule of Criminal Procedure 41(g), ECF No. 1, and Defendant United States of America's motion to dismiss, ECF No. 43. On September 10, 2019, the government filed a notice of pendency of other action noting that a criminal indictment against Ellison has been filed in the United States District Court for the District of Puerto Rico. ECF No. 46.

On or before September 20, 2019, the parties shall file a joint supplemental brief identifying the effect, if any, of the indictment on the motions pending before this Court. The brief shall not exceed ten pages and may set forth competing positions if the parties cannot reach agreement. The September 25, 2019 hearing is vacated. The motions will be taken under submission without oral argument unless otherwise ordered.

IT IS SO ORDERED.

Dated: September 10, 2019


JON S. TIGAR
United States District Judge